

86th Legislative Session – 2011

Committee: Senate State Affairs

Wednesday, January 26, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Adelstein
P Cutler
P Frerichs
P Garnos
P Gray
P Johnston
P Tieszen
P Olson (Russell), Vice-Chair
P Rhoden, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Larry Rhoden, Chair.

MOTION: TO APPROVE THE MINUTES OF MONDAY, JANUARY 24, 2011

Moved by: Adelstein
Second by: Gray
Action: Prevailed by voice vote.

MOTION: CONFIRM REAPPOINTMENT OF GENERAL STEVEN R. DOOHEN OF PENNINGTON COUNTY, RAPID CITY, SOUTH DAKOTA, TO THE POSITION OF SECRETARY OF THE DEPARTMENT OF MILITARY & VETERANS AFFAIRS

Moved by: Adelstein
Second by: Frerichs
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Adelstein, Cutler, Frerichs, Garnos, Gray, Johnston, Tieszen, Olson (Russell), Rhoden

SB 3: revise certain provisions regarding the use of the state seal.

Presented by: Senator Tim Rave
Proponents: Jason Gant, Secretary of State

MOTION: AMEND SB 3

30a

On page 1, line 5, of the printed bill, delete "and only by state agencies".

On page 1, line 8, after "writing" insert ". Application for the authorization shall be in writing".

On page 2, line 3, after ";" insert "or".

On page 2, delete line 4.

On page 2, line 5, delete "3" and insert "2".

Moved by: Cutler
Second by: Garnos
Action: Prevailed by voice vote.

MOTION: DO PASS SB 3 AS AMENDED

Moved by: Gray
Second by: Olson (Russell)
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 3 TO THE 41ST LEGISLATIVE DAY

Moved by: Adelstein
Second by: Frerichs
Action: Failed by voice vote.

MOTION: DO PASS SB 3 AS AMENDED

Moved by: Gray
Second by: Olson (Russell)
Action: Prevailed by roll call vote. (8-1-0-0)

Voting Yes: Cutler, Frerichs, Garnos, Gray, Johnston, Tieszen, Olson (Russell), Rhoden

Voting No: Adelstein

SB 88: revise certain penalties involving the bribery of a voter.

Presented by: Senator Bob Gray

Proponents: Jason Gant, Secretary of State

Opponents: Senator Angie Buhl
Representative Larry Lucas
Representative Kevin Killer
Representative Bernie Hunhoff
Representative Ed Iron Cloud III

MOTION: AMEND SB 88

88oa

On page 3, after line 5 of the printed bill, insert:

"

Section 3. That chapter 12-26 be amended by adding thereto a NEW SECTION to read as follows:

It is a Class 6 felony for any candidate, campaign, political party, organization, or person working or volunteering on behalf of any candidate, campaign, or political party to feed or offer food to a voter or eligible voter while conducting a meeting, rally, event, or gathering at which same day voting is directed, urged, or encouraged."

Moved by: Cutler

Second by: Gray

Action: Prevailed by voice vote.

MOTION: AMEND SB 88

88oc

On page 1, line 4, of the printed bill, delete "Class 6 felony" and insert "Class 1 misdemeanor".

On the previously adopted amendment (88oa), delete "Class 6 felony" and insert "Class 1 misdemeanor"

Moved by: Cutler

Second by: Adelstein
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND SB 88

88od

On page 1, line 4, of the printed bill, delete "Class 6 felony" and insert "Class 1 misdemeanor".

On page 2, line 16, delete "Class 6 felony" and insert "Class 1 misdemeanor".

On the previously adopted amendment (88oa), delete "Class 6 felony" and insert "Class 1 misdemeanor".

Moved by: Cutler
Second by: Adelstein
Action: Prevailed by voice vote.

MOTION: AMEND SB 88

88fa

On page 1, line 8, of the Senate engrossed bill, before "induce ~~such~~" insert "knowingly and intentionally".

On page 1, line 8, after "or to" insert "knowingly and intentionally".

On page 1, line 10, before "induce" insert "knowingly and intentionally".

On page 2, line 2, after "order to" insert "knowingly and intentionally".

On page 2, line 5, after "order to" insert "knowingly and intentionally".

On page 3, line 4, after "having" insert "knowingly and intentionally".

Moved by: Adelstein
Second by: Frerichs
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND SB 88

88fc

On page 1, line 8, of the printed bill, before "induce ~~such~~" insert "intentionally".

On page 1, line 8, after "or to" insert "intentionally".

On page 1, line 10, before "induce" insert "intentionally".

On page 2, line 2, after "order to" insert "intentionally".

On page 2, line 5, after "order to" insert "intentionally".

On page 3, line 4, after "having" insert "intentionally".

Moved by: Frerichs
Second by: Tieszen
Action: Failed by voice vote.

MOTION: AMEND SB 88

88fa

On page 1, line 8, of the Senate engrossed bill, before "induce ~~such~~" insert "knowingly and intentionally".

On page 1, line 8, after "or to" insert "knowingly and intentionally".

On page 1, line 10, before "induce" insert "knowingly and intentionally".

On page 2, line 2, after "order to" insert "knowingly and intentionally".

On page 2, line 5, after "order to" insert "knowingly and intentionally".

On page 3, line 4, after "having" insert "knowingly and intentionally".

Moved by: Adelstein
Second by: Frerichs
Action: Failed by voice vote.

MOTION: DO PASS SB 88 AS AMENDED

Moved by: Adelstein
Second by: Cutler
Action: Prevailed by roll call vote. (8-1-0-0)

Voting Yes: Adelstein, Cutler, Garnos, Gray, Johnston, Tieszen, Olson (Russell), Rhoden

Voting No: Frerichs

SB 67: reduce the minimum size for improvement districts.

Presented by: Senator Bob Gray (Handout: 1)
Proponents: Todd Meierhenry, SEIL, Sioux Falls
Toby Morris, Northland Securities, Pierre
Yvonne Taylor, SD Municipal League

MOTION: AMEND SB 67

67oa

On page 1, line 6, of the printed bill, delete "three" and insert "one hundred sixty".

On page 1, line 7, delete "hundred twenty".

Moved by: Adelstein
Second by: Frerichs
Action: Was not acted on.

MOTION WITHDRAWN; APPROVED BY SECOND

MOTION: DO PASS SB 67

Moved by: Olson (Russell)
Second by: Gray
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Adelstein, Cutler, Frerichs, Garnos, Gray, Johnston, Tieszen, Olson (Russell), Rhoden

SB 90: revise certain provisions concerning tax incremental districts.

Presented by: Senator Bob Gray
Proponents: Todd Meierhenry, SEIL, Sioux Falls

Julie Johnson, Absolutely Aberdeen
Yvonne Taylor, SD Municipal League
David Owen, SD Chamber of Commerce & Industry

MOTION: DO PASS SB 90

Moved by: Adelstein
Second by: Johnston
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND SB 90

90oa

On page 9 of the printed bill, delete lines 17 to 24, inclusive.

Moved by: Gray
Second by: Adelstein
Action: Prevailed by voice vote.

MOTION: DO PASS SB 90 AS AMENDED

Moved by: Adelstein
Second by: Garnos
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Adelstein, Cutler, Frerichs, Garnos, Gray, Johnston, Tieszen, Olson (Russell), Rhoden

MOTION: PLACE SB 90 ON CONSENT CALENDAR

Moved by: Adelstein
Second by: Olson (Russell)
Action: Failed by voice vote.

SB 107: require the state to provide the public with access to an electronic database containing certain information on any loans, grants, or tax rebates provided by the state for the purpose of economic development.

Presented by: Senator Jim Hundstad (Handout: 1)
Proponents: Representative Bernie Hunhoff
David Bordewyk, SD Newspaper Association

Opponents: Steve Sibson, self, Mitchell
Mike Youngberg, GOED, Pierre

MOTION: DO PASS SB 107

Moved by: Frerichs
Second by: Adelstein
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 107 TO THE 41ST LEGISLATIVE DAY

Moved by: Olson (Russell)
Second by: Gray
Action: Prevailed by roll call vote. (8-1-0-0)

Voting Yes: Adelstein, Cutler, Garnos, Gray, Johnston, Tieszen, Olson (Russell), Rhoden

Voting No: Frerichs

MOTION: ADJOURN

Moved by: Olson (Russell)
Second by: Tieszen
Action: Prevailed by voice vote.

Cheri Hauschild
Committee Secretary

Larry Rhoden, Chair